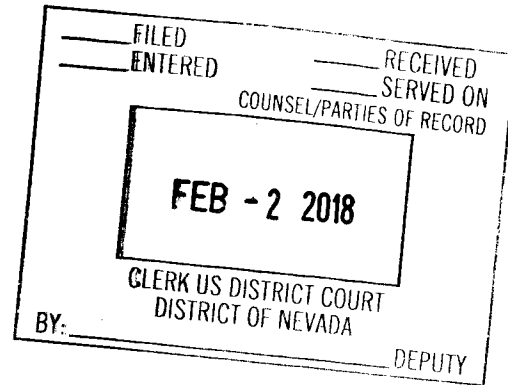




**SEALED**

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*Representing the United States of America*

UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT PONCE, JR.,

Defendant.

Case No.: 2:16-cr-368-APG

**\*\* UNDER SEAL \*\***

**STIPULATION TO CONTINUE  
 SENTENCING**

SECOND REQUEST

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, through Dayle Elieson, United States Attorney, and Daniel J. Cowhig, Assistant United States Attorney, and the defendant ROBERT PONCE, JR., and his attorney, Randall Roske, that:

1. The sentencing hearing in United States v. Robert PONCE, Jr., currently scheduled for March 6, 2018 at 9:30am in Las Vegas Courtroom 6C, be continued until a date and time convenient to the Court, but not less than 30 days from the currently scheduled date.

2. Counsel for defendant PONCE is scheduled to appear in trial in an unrelated matter that will likely conflict with the currently scheduled hearing.

3. The United States is not aware of any substantive violations of the presentencing release conditions imposed by the Court.

1           4. Defendant PONCE is at liberty, having been released on a personal recognizance  
2 bond with conditions. Defendant PONCE agrees to this continuance.

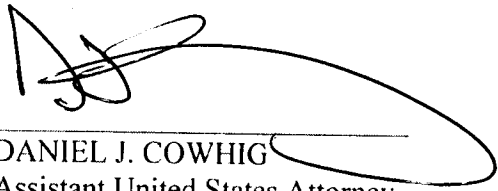
3           5. Denial of this request could result in a miscarriage of justice because denial could  
4 substantially limit defendant PONCE's ability to prepare and present appropriate evidence and  
5 argument at sentencing.

6           6. This is the first request to continue the sentencing hearing.

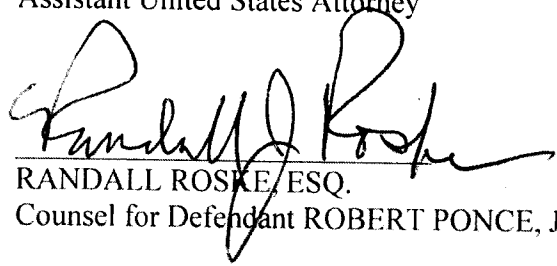
7           7. The parties seek this continuance in good faith, not for the purposes of delay.

8 DAYLE ELIESON,  
9 United States Attorney

10 DATE 2/2/18

11   
12 DANIEL J. COWHIG  
Assistant United States Attorney

13 DATE 2/2/2018

14   
15 RANDALL ROSKE, ESQ.  
Counsel for Defendant ROBERT PONCE, JR.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT PONCE, JR.,

Defendant.

Case No.: 2:16-cr-368-APG

\*\* UNDER SEAL \*\*

**PROPOSED FINDINGS OF FACT,**  
**CONCLUSIONS OF LAW AND**  
**ORDER TO CONTINUE**  
**SENTENCING**

Based on representations of the parties contained in the pending stipulation (ECF No.

\_\_\_\_\_) and the record in this case, the Court FINDS:

1. Counsel for defendant PONCE is scheduled to appear in trial in an unrelated matter that will likely conflict with the currently scheduled hearing.

2. The United States is not aware of any substantive violations of the presentencing release conditions imposed by the Court.

3. Defendant PONCE is at liberty, having been released on a personal recognizance bond with conditions. Defendant PONCE agrees to this continuance.

4. Denial of this request could result in a miscarriage of justice because denial could substantially limit defendant PONCE's ability to prepare and present appropriate evidence and argument at sentencing.

5. This is the second request to continue the sentencing hearing.

6. The parties seek this continuance in good faith, not for the purposes of delay.

7. The requested postponement of the sentencing hearing in this matter does not implicate the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

IT IS HEREBY ORDERED:

1. The sentencing hearing in United States v. Robert PONCE, Jr., currently scheduled for March 6, 2018 at 9:30am in Las Vegas Courtroom 6C, be continued until \_\_\_\_\_, April 6, 2018 at 9:00 a.m. in Las Vegas Courtroom 6C;

2. The Clerk of Court shall notify the United States Probation Office of the new hearing schedule, and;

3. This filing, this order, and this matter remain UNDER SEAL.

IT IS SO ORDERED.

DATE February 5, 2018



THE HONORABLE ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE